

*A Representation made by the Lower House of
Convocation to the Archbishop and Bishops,
Anno 1703.*

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THE Publisher of these Papers is One, who with great Grief observ'd the Rise and Progress of those Disputes, which lately divided the Two Houses of Convocation, and which seem'd to be thrown in, or laid hold of, by Artful Men, on purpose to lessen the Reputation, and defeat the Ends of such Useful and Venerable Assemblies. He was pleas'd, the last Winter, to hear, that those Disputes, had, in some measure, given way to Business of a more Publick Nature, and Influence; and took care to furnish himself with Copies of what had pass'd on that Occasion.

Among the Papers, offer'd by the Lower to the Higher House, he found the following Proposal for redressing several Abuses, and Grievances, in points of Importance, and which were properly of Ecclesiastical Cognizance. The perusal of it gave him great Satisfaction, nor was it less approv'd, by all those to whom he hath communicated it. He thought therefore that it might be for the Honour of the Lower House, and for the Interest of the Church, that it should be made more Publick.

It is not to be doubted, but that, when the Convocation meets again, we shall hear what has been done by the Bishops, in their several Dioceses towards the redress of the Grievances here represented: For his Grace of Canterbury was pleas'd to inform the Clergy of the Lower House, That an Order had been given in the Upper, for the making out Copies of this Representation, both for the present, and absent Bishops. And his Grace trusted, That they would make the proper Use of it, at all times, and especially at

their Visitations. It must therefore be presum'd, that in Those Dioceses where the Bishops have visited, since such Copies were made out for them, and communicated to them, the Contents of these Papers have been already imparted to the Clergy, by their respective Diocesans: But because, in some parts of the Province, there may have been no Episcopal Visitation this Summer, the Clergy in those parts, may not be ill pleas'd to be this way inform'd of what was done, the last Winter, by their Representatives. It is possible, that what is here Publish'd, may be entirely new, even to some who are of the Convocation; for I have heard it often complain'd, that in many Sessions there has been but a slender appearance of Members in the House: And, that not only several have been absent, who live in the remoter parts of the Province, and who, by the little Business the Clergy have been suffer'd to do in some late Convocations, may have been discourag'd from paying a long and chargeable Attendance, to the detriment of their Families, and of their Cures, without a Prospect of any considerable service to the Church; but that Some also, who constantly reside in Town, Men of Plenty, and of Leisure, who have a large Share in the Dignities and Profits of the Church, and who are happy in the singular Favour and Countenance of our Most Reverend Primate, have yet been so far wanting in their Duty to the Church, and to his Grace, as never once, during a long Convocation, to have stept into Henry the Seventh's Chappel, or to have vouchsaf'd their Brethren there, the Honour and Benefit of their Presence and Counsel. I cannot

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not easily believe, what has been farther told me, that these Persons, when they have formerly, upon some Occasions, appear'd in the House, have been so far from proposing, or promoting any Synodical Business there, that whatever has been offer'd of that kind, by Others, has from Them always met with Discouragement and Opposition. Possible it is, that They may have been unwilling to concur with their Brethren in any thing, tho' in it self fit and necessary to be done, least they might seem to countenance them in their suppos'd Encroachments upon the Rights of the Metropolitan and Bishops: But, when they shall consider, that the most easie, and most effectual Way to set aside the unhappy Disputes between the Two Houses, is to proceed upon Business of Weight, and Moment; that the Jealousies which have been entertain'd of some Prelates, and other Eminent Dignitaries of the Church, as if they were not true Friends to Convocations, will be best cur'd by their shewing a more than ordinary Vigour, and Activity, in promoting the proper Work of such Assemblies; and that Those of the Lower House, who are now thought to have a less Respect than is due to many of the Bishops, and a worse Opinion, than they ought to have, of some few of their Brethren, must, of Necessity, either change their Sentiments, or be inexcusable before God and Man, if they do not change them, as soon as such Bishops, and Those of the Clergy who are known to be under their Influence, shall shew themselves as forward to do Business in Convocation, as they have hitherto appear'd backward; when, I say, They shall be pleas'd to take these things into their Consideration, coolly, and impartially, I doubt not, but they will shew that Regard to the Peace of the Church, to the Agreement of the Two Houses, to the Honour of the Bishops, and to their own Characters, as to fall in heartily with such Measures, as are most likely to contribute to these good Ends.

The Reformation of Publick Abuses in the Church is not the Private Interest, and should not be the separate Concern of any One Set of Men; None, who sincerely

love the Church, will suffer Others to out-do them in an Unfeigned Zeal for its True Interest. And Those who would be thought to have any Friendship for it, will not let Others go away with the Reputation of appearing more Vigorous in its Service, than Themselves. If They, who, in a decent and legal manner, press for a Reformation of Grievances, are in Earnest, they deserve to be encourag'd, and assisted; if under this pretence, they are carrying on any sinister Ends, the amending what is confessedly amiss, is in it self reasonable, and will be the best way to discover the ill Designs of these Men, and to disappoint them.

Some of the Irregularities mention'd in this Paper may be thought capable of being remedied by the sole Authority of those of the Lower House, who are entrusted with Ecclesiastical Jurisdiction; and there are Some possibly, which the Complainants themselves are guilty of, and which would in a great measure cur'd, would They, instead of complaining of the breach of Canons, give a good Example by observing 'em. But, if it be consider'd, that when Abuses have long and generally prevail'd, they begin to plead a kind of Prescription; that Ecclesiastical Laws, are, by a constant and uncontroll'd neglect of them, thought to be virtually repeal'd; that Private Persons are in danger of incurring the hard Censures of Affectation and Singularity, by a stiff Observance of those Canons, which Men of their own Order, Eminent for Learning and Piety, make no Scruple to transgress; and that the manifold Inconveniencies, which arise from the breach of Ecclesiastical Constitutions, are not to be prevented by the strictness of some few Ministers, or any other way to be remedied, but by a general and resolute Observance of the wholesome Orders of the Church: It must be allowed, that even these Evils are not likely to be redress'd without the United Counsels and Endeavours of the Whole Body of the Clergy, joyning together in this good Work, and acting by common Consent, upon a Synodical Determination, and an avow'd Resolution of countenancing, and supporting Each Other.

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If the Bishops and the Clergy, at their next meeting, do with Heartiness and Unanimity exert that Authority, which, by the Constitution of this Kingdom, is lodg'd in a Provincial Synod, for the Reformation of such Abuses, as They are sufficiently empower'd to correct, it will soon appear to the World, that a Convocation is not so insignificant an Assembly, as some Enemies of the Church have endeavour'd to represent, and to render it. Reformation is on all Hands agreed to be necessary: Those who have lifted themselves in Voluntary Societies for this purpose, have had the Applause, the Encouragement, and the Assistance of many worthy Bishops of our Church: It were earnestly to be wish'd, that their Lordships would call upon the Clergy to joyn with Them in their Convocational Capacity, for the carrying on this necessary Work: An Ecclesiastical Synod is a Society for Reformation, Establish'd by Apostolical Authority, by the constant Usage of the Catholick Church, and by the Laws, and Customs of this Nation; It is made up of Members, from whose Piety, Wisdom, Experience, and Authority, we may hope for such a Progress in a Publick Reformation of Manners, as is not to be expected from the Endeavours of Private Persons, tho' their Principles are never so good, and their Designs really such as they appear; and from the Counsels and Proceedings of a Convocation, we have no reason to apprehend any of those Dangers, which some pretend to be afraid may possibly ensue, to the Church or State, from unauthoriz'd Societies, who, tho' combining for very good Purposes, may, in time, by the dextrous Management of some cunning Men, be made Use of for promoting very bad Ones. All the World will confess that our Prelates are in earnest for Reformation, when They see Them, and Their Friends, whom They can influence, bent upon promoting it within their own proper Sphere, a Convocation.

When the Clergy have redress'd such A-

buses, as it lies in the Power of a Synod to reform, they may then with a better grace, ask the Assistance of the Queen, or Parliament, for the Amendment of any things, if any there are, which are not to be set right, without the Regal, or Legislative Authority. This present Parliament have given the Clergy abundant Proofs of their readiness to do every thing that may be for the Honour, Interest, and Security of the Church of *England*. We of the Establish'd Church, are, thro' God's Blessing, happy under the Government of a Queen, who is in her Heart intirely *English*, and, for that reason, intirely Ours: She has had her Education in this Church, and has run great Hazards for it: Her Principles must always keep Her intirely firm to its Interest: Of her particular Care to encourage and maintain the Church, as by Law Establish'd, She has given us repeated Assurances, and Proofs: and One such, by her late Bounty to the Clergy, as never was given by any of her Royal Predecessors. When her Majesties unparallel'd Charity shall take effect, several of the Grievances, under which the Church doth now groan, and which plainly arise from the low and narrow Circumstances of the poorer Clergy, will be effectually remedied: And if any thing be yet wanting for the Support, Welfare, and Ornament of the Church, which the Royal Authority can supply, the Clergy may be secure, that it will be no longer wanting, when it is once laid before Her Most Sacred Majesty. In Such an happy Juncture, under Such a Queen, if nothing be done by the Governing Clergy for retrieving the Honour, and shewing the Usefulness of Convocations, this ancient part of our Constitution will quickly moulder away, and the Ruin of it will be wholly owing to the Supineness of Those, who being entrusted with the care of preserving it Safe and Intire, for the Honour of God, and the good of his Church, will never be able to excuse themselves, to the World, or to their own Consciences, for such an unpardonable Breach of so Sacred a Trust.

*To the Most Reverend the Lord Arch-Bishop of
Canterbury, his Grace, and the Right Re-
verend the Bishops his Suffragans.*

*The Humble Representation of the Lower-House
of Convocation.*

May it please your Grace and your Lordships,

HAVING Received a Message from your Grace by our Prolocutor, in the Session, December the 15th, by which We were Encouraged to hope, that against our next meeting with your Lordships, on February the 4th, sufficient Powers might be procured, for the Joynt dispatch of Synodical business; We then thought it our Duty to employ several of our Members, in preparing on Our parts, during this long recess of your Lordships, such Heads of Matter, as being debated, and approved by Us, might properly be offered to your Lordships grave and wise Consideration.

Accordingly We have duely weighed in our House the following Articles; and do, with all Humility, represent to your Lordships;

That a general neglect of divers Canons and Constitutions, now in force doth (among other great Inconveniencies thence arising) tend to introduce such Customs, and Usages, as may, in time, be interpreted to amount to a Prescription, and thereby the Authority and Force of the said Canons, may be evaded, the Clergy lose their undoubted Rights, and be involved in fruitless contests, and Law-suits, with their Parishioners.

That matter of great offence hath been Administred to Pious Christians, and many Evil Consequences may arise, from the practise of such Ministers, who Read not the Common Prayers, Distinctly, Reve-

rently, and Entirely, as by the Rubrick, and by the 14th Canon, they are obliged to do, without either diminishing in regard of Preaching, or in any other respects, or adding any thing, in the Matter, or Form thereof.

That there hath been a great neglect of bringing such Infants, as have been privately Baptized, into the Church, to the intent, that the Congregation may be Certified thereof, and the Child be there received as one of the Flock of true Christian People, as the Rubrick directs; and that the unjustifiable use of the form of publick Baptism, in private Houses, hath lessened the Reverence due to that Holy Office; and, in some places, hath given Opportunity to Persons to intrude into the Administration of that Holy Sacrament, and occasioned those undue Practices of Mutilating the publick Form, and Baptizing without the Sign of the Cross, or God-fathers and God-mothers.

That the Remissness of Church Wardens, in not making such Provision for the Administration of the Sacrament of the Lord's Supper, as the Rubrick and Canons direct, hath in Sundry Cases given matter of Offence to good Christians, and been the occasion of much Indecency in the Celebration of that Holy Sacrament.

That the Apostles-Rule concerning Decency and Order, in the publick Worship of God, and the directions of our Church

In the 18th Canon, answerable to that Rule, are in several Churches of this Province, notoriously Violated, by the irreverent and disorderly behaviour, of those Persons who presume to cover their Heads, in the Church, in the time of Divine Service, or who do not, in kneeling, standing, and other respects, demean themselves in such manner, as is by that Canon, and the Book of Common Prayer required; or who, by walking, or talking, or otherwise, disturb the Service or Sermon, or without any urgent or necessary Cause depart out of the Church, during the time of Service, or Sermon.

That notwithstanding the Exemplary care of many Bishops, in the admission of Persons into Holy Orders, (for which we have great Reason to bless God, and to be thankful to their Lordships) yet to our grief, in some Dioceses, the Conditions in that regard prescribed by the 33d, 34th, and 35th Canons, have not been observed. On the contrary, the little Caution used by Some in Granting, and by Others in Allowing of Letters Testimonial; the not insisting on True, Certain, and Sufficient Titles; the want of a strict and diligent Examination of such, as offer themselves to be ordained; and an unnecessary ordination of Persons, without either University Degrees, or Education, continue to be just matter of Complaint.

And it were further to be wished, that the Ordinations of Ministers, might always be enter'd in the publick Registers of their respective Dioceses, in so Particular and Authentick a manner, as to afford sufficient Evidence, for the detecting such Persons, as forge Letters of Orders, and to provide against the Inconveniencies which may arise to the Clergy, upon any loss of their Letters of Orders.

That frequent Abuses have happened to the great Scandal of the Church, and the Jurisdiction thereof, by the neglect of the 103d. Canon, which appoints, that before any Licence for the Celebration of Matrimony be granted, it shall appear to the Judge (by the Oaths of two sufficient Witnesses, one of them to be known to the

Judge himself, or to some other Person of good Reputation then present, and known likewise to the said Judge) that the express Consent of the Parents, or Parent, if One be Dead, or Guardians or Guardian of the parties is thereunto had, and obtain'd. As also by the irregular granting of Licences of Marriage, contrary to the true intent of the 102d. Canon, which provides, that one Condition of every security taken upon granting any Licence be, that Matrimony shall be Celebrated in the Parish Church, or Chappel, where One of the parties dwelleth, and in no other place. As likewise, by the practice of Ministers, who, (contrary to the express Prohibition of the 62d Canon) do under any pretence whatsoever, joyn any Persons in Marriage, at any time, but only between the Hours of Eight and Twelve in the Morning, or in any Place, but in the Parish Church, or Chappel, where one of them dwelleth; and moreover by the evil Custom of Lodging blank Licences in improper Hands.

And we cannot but express our hearty Concern, that, notwithstanding the wise provision made by the Laws Ecclesiastical, and Civil against Clandestine Marriages, there should still be found Persons, being, or pretending to be, in Holy Orders, who frequently transgress the said Laws, to the dishonour of the Church, and the Ruin of many Families.

That persons Excommunicated, and not Reforming themselves within three Months, have not every six Months ensuing been openly denounced, both in the Parish Church, and in the Cathedral of the Diocese, where they remain; in such manner as is prescribed by the 65th Canon; for want of which Publick, and Repeated Denunciation, the good Ends proposed in that Canon, have been frustrated; and the Sentence of Excommunication, hath been rendred less Awful, and Effectual, than it ought to be.

That Commutations of Penance, without the knowledge of the Bishop, and the frequency of such Commutations, even, for slight summs, and in improper Cases, and the private disposal of the Money, thence

thence arising, without notifying the same to the Congregation, are practices of very evil Consequence, as they tend greatly to discourage Church-Wardens from prosecuting Offenders, as they are insufficient for removing the scandal given to the Church, and for reforming the Persons so allowed to Commute, and are plainly repugnant to a Constitution made in the Year 1597. which forbids such abuses, under the Penalty of three Months suspension, to be inflicted by the Bishop.

That the suffering of Persons to instruct Youth, as Tutors or Schoolmasters, without such Licence from the Ordinary, as is required by the Act of Uniformity and the 77th Canon, hath given Occasion and Encouragement to several Ignorant and Disaffected Persons to erect Seminaries, where in not only Academical Learning is pretended to be taught, to the prejudice of the two Universities, but, as we are informed, and perswaded, such Principles are also instilled into Youth, as tend to perpetuate the Schism, we now labour under, and to subvert the Established Constitution.

That Persons have been admitted to be Chancellors, or Officials, and, as such, to Exercise Ecclesiastical Jurisdiction, who have not taken any Degree in any University; the advancement of which Persons, not Qualified with degrees of Schools, to Offices of so great Trust, and Authority, is, as we Conceive, against the true Intent and Meaning of the 127th Canon, as well as against the declared Opinion of the Arch-Bishop and Bishops, in the Year of our Lord 1571. that, *Quivis Cancellarius Commissarius & Officialis erit Institutus in Legibus Ecclesiasticis & civilibus, qui in Scholis, Doctrina nomine, gradum aliquem susceperit*; And doth Manifestly tend to the discouragement of the Study and Profession of the Civil and Ecclesiastical Laws, to the Prejudice of the University's, and to the impairing of the Dignity of those Offices.

That the defective Presentments of Church-Wardens, and the Connivance of those, who by the 26th and 117th Canons are empowered and required, to punish

such Church-Wardens, as wilfully neglect their Duty, have been one great Cause, of the present decay of Church Discipline and neglect of the Ecclesiastical Jurisdiction, and that Church-Wardens have been greatly discouraged from doing their Duty in this respect, by the Remissness of Ecclesiastical Judges, and their Officers, in not Prosecuting such Matters, and Persons, as have at any time been presented to them.

That the Credit and Influence of the Ecclesiastical Jurisdiction, hath been much impair'd by the Corrupt Practice of Registers, in taking (contrary to the 135th Canon) other or greater Fees, than such as were Certified to the most Reverend the Arch-Bishop of Canterbury in the Year 1597, and by him ratified and approved; and that great occasion hath been given to their Exactions in this point, by the Impunity, with which they have been permitted to Transgress the 136th Canon, Constituting and Appointing, that every Register shall place two Tables, containing the several Rates, and Summs of all the said Fees; One in the usual place or Consistory, where the Court is kept, and the Other in his Registry; and both of them in such sort, as that every Person, whom it Concerneth, may without Difficulty come to the view and perusal thereof, and take a Copy of them, and that Registers offending against the said Canon shall be suspended from the Execution of their Office.

That the Suffering the Seal of any Jurisdiction to be kept, by any other Person, but either the Judge himself, or his Lawful substitute, exercising Jurisdiction for him (Contrary to the 124th Canon) hath occasioned many Clandestine, and Corrupt practices, whereby Ecclesiastical Judges have been much defrauded, their Authority abused, and the Acts and Proceedings of their Courts defamed and vilified. And that like Inconveniences have happened by sending out Processess of *Quorum nomina*, without first expressly entering the Names of all such, as thereby are to be cited, and a Subscription of the said

said Proceſſes, and Names, by the Judge, or his Deputy; which Circumſtances are directed and required by the 120th Canon.

That many great Inconveniencies have enſued, and may hereafter ariſe, by the neglect of Registers, in not Cauſing all Testaments exhibited into their Offices, to be Registered within a Convenient time, according to the direction given in the 134th Canon, as alſo by the Non-obſervance of the 126th Canon, which Orders and Enjoyns, that all ſuch Poſſeſſors and Exercisers of Peculiar Jurisdiction, as have no known nor certain Registers, nor publick Place to keep their Records in, ſhall once in every Year, exhibit into the publick Registry of the Biſhop of the Dioceſe, or of the Dean and Chapter, under whole Jurisdiction the ſaid Peculiars are, every Original Testament of every Perſon in that time deceaſed, and by them proved in their ſeveral Peculiar Jurisdictions, or a true Copy of every ſuch Testament, Examined, Subſcribed, and Sealed by the Peculiar Judge and his Notary.

That the Exacting of exceſſive Fees for Collations, and Inſtitutions, and particularly the obliging the Clergy, at their Inſtitutions, to pay great and unreaſonable Fees to the Biſhop's Officer for Sequeſtration, Relaxation, and for the Apparitors laying of both, and afterwards reſuſing them Induction, unleſs they will pay the ſame Fees over again to the Arch-Deacons Register, as alſo the Multiplying of Fees for Sequeſtration and Relaxation, where there are ſeveral Chappels of Eaſe under one Mother Church, are a great and very oppreſſive burden upon the Clergy.

That from the 137th Canon, concerning Fees to be paid for ſhewing Letters of Orders, and other Licences, occaſion hath been taken, unneceſſarily, to Multiply Inſtruments, and to demand of the Clergy at Viſitations, Fees for more Inſtruments, then they had, or were bound to Exhibit: and contrary to the expreſs Words of that

Canon, whole Fees for ſuch Inſtruments have been demanded and payed, more than once, in the time of the ſaid Biſhop.

That great Trouble and Charge have been Occaſion'd to ſeveral Miniſters, through the default and Miſ-behaviour of Sub-collectors, and other Officers employ'd in receiving of Tenths, who have either demanded and taken Arbitrary and exceſſive Fees in diſcharge of ſuch Tenths, as have not been paid in time, or in proſpect of ſome undue advantage, have Suffered Tenths to lye long in Arrear, to the Prejudice of ſucceeding Miniſters, who, by this neglect, ſtand often Charged with the Debts of their Predeceſſors.

That great Encroachments have been made upon the Rights and Poſſeſſions of the Church by the general neglect of procuring and preſerving true Notes and Terriers of Glebe-Lands, and other Poſſeſſions, belonging to Churches, as is ordain'd by the 87th Canon.

That due Care hath not been taken to obſerve that Statute (29. Car. 2. c. 8.) which Enacts, that every Arch-Biſhop, Biſhop, Dean and Chapter, ſhall cauſe every Leaſe or Grant, wherein any augmentation for the uſe of any Vicar or Curate is made, to be enter'd in a Book of Parchment to be kept by their Registers; and that the ſaid entry being Examined, by the Reſpective Arch-Biſhop, Biſhop, Dean and Chapter, and by them atteſted, in the ſaid Book, to be a true Copy (and that the Augmentation was intended for ſuch uſe) ſhall be as a Record, a Copy whereof Proved by Witneſſes, ſhall be Evidence at Law: for want of which care, many Vicars, and Curates, may be deprived of the Benefit intended them by that wholeſome and Charitable Law.

That in ſome late Editions of the Holy Bible, and of the Liturgy of the Church of England, ſeveral groſs Errors have been Committed.

This Houſe had alſo intended, to have offered to your Lordſhips, a Representation

tion (long since prepared by their Committee, and which had it not been for your Lordships long Recess, would have been timely laid before You) Concerning the open Immorality and Prophaness of the Stage, and of the insufferable Liberty there taken to expose sacred Things and Persons; which hath given just matter of Scandal and Grief to all serious Christians, and hath been one Chief occasion, of that Corruption of Manners and Contempt of Religion, which at present prevail. But they find themselves happily prevented in this Instance, by the Pious care of Her Majesty, in the late order given, for repressing and restraining such great Enormities for the future. They submit it however to your Lordships great Wisdom, and godly Concern for Religion, whether this House may not be permitted to joyn with your Lordships, in an Address to Her Majesty, Expressing our humble thanks for the seasonable Interposition of her Royal Authority, towards Remedying

these Licentious Practices, and our Earnest Desire, and Prayer, that it may be Effectual, thoroughly to suppress the same.

May it please your Grace and your Lordships,

These Articles we humbly lay before your Lordships, in hopes that Some at least of the Grievances, therein represented, may appear to your Lordships (as All of them do to Us) worthy of present deliberation and redress.

We have chose to offer them in General, without specifying, on each Head, the particular Facts on which they are Grounded; as Judging this Method of Application most decent, and most agreeable to Ancient Precedents: We shall be ready nevertheless to bring, in due form, special Proof of these general Suggestions, wherever it shall be thought wanting, and whenever your Lordships shall be pleased to demand it.



FINIS.

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